Appln. No.: 10/564,593

Amendment Dated January 5, 2009

Reply to Office Action of September 5, 2008

<u>Amendments to the Claims:</u> This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

- 1. (Currently Amended) A breathable, heat-sealable, composite film comprising a perforated polymeric substrate layer having a first and second surface and disposed on a surface of the substrate layer an unperforated barrier layer wherein:
- (i) the thickness of the unperforated barrier layer is no more than $\frac{about}{12} \mu m$; and
- (ii) the perforated substrate layer has a degree of perforation of from about 0.1 to about 78%, wherein the perforations have an average diameter of between 0.05 and 1.5 mm.
- 2. (Currently Amended) A<u>The</u> film according to claim 1 wherein the unperforated barrier layer is permeable to gaseous water and oxygen.
- 3. (Currently Amended) A<u>The</u> film according to claim 1 wherein the unperforated barrier layer comprises a polyester, polyolefin or copolyesterether layer.
- 4. (Currently Amended) A<u>The</u> film according to claim 1 wherein the perforations have an average diameter of between 0.1 and 1.5 mm.
- 5. (Currently Amended) AThe film according to claim 1 wherein the unperforated layer is disposed on the first surface of the substrate.
- 6. (Currently Amended) A<u>The</u> film according to claim 1, wherein the thickness of the unperforated layer is no more than 8 μ m.
- 7. (Currently Amended) A<u>The</u> film according to claim 1, wherein the thickness of the unperforated layer is no more than 5 μ m.
- 8. (Currently Amended) A<u>The</u> film according to claim 1, wherein the perforated substrate layer has between 25 and 400 perforations per (25mm)².

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9. (Currently Amended) AThe film according to claim 1 wherein the average perforation diameter is 0.3 to 1.0 mm.

- 10. (Currently Amended) A<u>The</u> film according to claim 1 wherein the degree of perforation is from about 10 to about 50%.
- 11. (Currently Amended) A<u>The</u> film according to claim 1, wherein the substrate layer is a copolyesterether.
- 12. (Currently Amended) AThe film according to claim 1, wherein the substrate comprises polyester.
- 13. (Currently Amended) A<u>The</u> film according to claim 12 wherein the substrate comprises polyethylene terephthalate.
- 14. (Currently Amended) A<u>The</u> film according to claim 1, wherein the substrate layer is a heat-sealable layer.
- 15. (Currently Amended) AThe film according to claim 1, wherein there is disposed on the second surface of the substrate layer a perforated heat-sealable layer.
- 16. (Currently Amended) A<u>The</u> film according to claim 15 wherein the heat-sealable layer is a copolyester derived from ethylene glycol, terephthalic acid and isophthalic acid, preferably wherein the molar ratio of the terephthalic acid component to the isophthalic acid component is in the range from 65:35 to 85:15, and more preferably is about 82:18.
- 17. (Currently Amended) A<u>The</u> film according to claim 15 wherein the heat-sealable layer is a copolyester derived from terephthalic acid, ethylene glycol and 1,4-cyclohexanedimethanol₇ preferably wherein the molar ratio of 1,4-cyclohexanedimethanol to ethylene glycol is in the range from 30:70 to 35:65, and more preferably is about 33:67.
- 18. (Currently Amended) A<u>The</u> film according to claim 15 wherein the heat-sealable layer is a copolyester derived from an aromatic dicarboxylic acid, an aliphatic dicarboxylic acid and a

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stoichiometric amount of one or more glycols, wherein the concentration of said aromatic dicarboxylic acid in the copolyester is in the range from 50 to 55 mole % based on all the dicarboxylic acid components of the copolyester, and the concentration of said aliphatic dicarboxylic acid in the copolyester is in the range from 45 to 50 mole % based on all the dicarboxylic acid components of the copolyester.

- 19. (Currently Amended) A<u>The</u> film according to claim 18 wherein said aromatic dicarboxylic acid is terephthalic acid, wherein said aliphatic dicarboxylic acids are selected from sebacic acid, adipic acid and azelaic acid, and wherein the glycol component is ethylene or butylene glycol.
- 20. (Currently Amended) A<u>The</u> film according to claim 1, wherein the film exhibits a haze of less than 6%.
- 21. (Currently Amended) A<u>The</u> film according to claim 1, wherein the film exhibits a total light transmission of at least 80%.
- 22. (Currently Amended) A process for producing a breathable, heat-sealable composite film comprising:
- (a) providing a polymeric substrate layer having a first and second surface and optionally a discrete heat-sealable layer disposed on the second surface of the substrate;
- (b) perforating said substrate and if present said discrete heat-sealable layer; and
- (c) providing an unperforated barrier layer on a surface of the substrate, wherein
- (i) the thickness of the unperforated layer is no more than $\frac{12\mu m}{m}$; and
- (ii) the perforated substrate layer has a degree of perforation of from about 0.1 to about 78%, wherein the perforations have an average diameter of between 0.05 and 1.5 mm.
- 23. (Currently Amended) AThe process according to claim 22 wherein the unperforated barrier layer and/or the substrate layer are is as set out in claim 2, 3, 11, or 12.
- 24. (Currently Amended) A<u>The</u> process according to claim 22 wherein the unperforated layer is laminated to the perforated substrate.

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25. (Currently Amended) A<u>The</u> process according to claim 24 wherein an adhesive composition is applied by spray melt-coating onto one or both of the unperforated layer or the first surface of the substrate.

- 26. (Currently Amended) AThe process according to claim 25 wherein the adhesive composition comprises ethylene vinyl alcohol.
- 27. (Currently Amended) A $\underline{\text{The}}$ process according to claim $\underline{2122}$ wherein the unperforated layer is provided on the substrate by extrusion coating.
- 28. (Currently Amended) A<u>The</u> process according to claim 22 wherein the thickness of the unperforated layer is no more than 8 μ m.
- 29. (Cancelled)
- 30. (Cancelled)
- 31. (Currently Amended) A sealed container comprising a receptacle containing cut plant(s), and a lid formed from a polymeric film wherein said film is a breathable, heat-sealable, composite film comprising a perforated polymeric substrate layer having a first and second surface and disposed on a surface of the substrate layer an unperforated barrier layer wherein:
- (i) the thickness of the unperforated barrier layer is no more than about 12 μm; and
- (ii) the perforated substrate layer has a degree of perforation of from about 0.1 to about 78%, wherein the perforations have an average diameter of between 0.05 and 1.5 mm.
- 32. (Cancelled)
- 33. (Previously Presented) The ovenable meal package according to claim 36 wherein said package further comprises a receptacle and a lid and wherein said lid is formed by said breathable film.
- 34. (Currently Amended) A metodmethod of packaging cut plants wherein said method comprises the step of providing a breathable film as at least part of the packaging wherein said

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breathable film is a breathable, heat-sealable, composite film comprising a perforated polymeric substrate layer having a first and second surface and disposed on a surface of the substrate layer an unperforated barrier layer wherein:

- (i) the thickness of the unperforated barrier layer is no more than about 12 μm; and
- (ii) the perforated substrate layer has a degree of perforation of from about 0.1 to about 78%, wherein the perforations have an average diameter of between 0.05 and 1.5 mm; and further comprising the step of packaging said plants in said film.
- 35. (Currently Amended) A_method of packaging cut plants wherein said method comprises the step of placing said plants in a receptacle comprising a lid wherein said lid is a breathable, heat-sealable, composite film comprising a perforated polymeric substrate layer having a first and second surface and disposed on a surface of the substrate layer an unperforated barrier layer wherein:
- (i) the thickness of the unperforated barrier layer is no more than about 12 μ m; and
- (ii) the perforated substrate layer has a degree of perforation of from about 0.1 to about 78%, wherein the perforations have an average diameter of between 0.05 and 1.5 mm; and further comprising the step of packaging said plants in said film.
- 36. (Currently Amended) A package for an ovenable meal comprising a breathable, heat-sealable, composite film comprising a perforated polymeric substrate layer having a first and second surface and disposed on a surface of the substrate layer an unperforated barrier layer wherein:
- (i) the thickness of the unperforated barrier layer is no more than about 12 μ m; and
- (ii) the perforated substrate layer has a degree of perforation of from about 0.1 to about 78%, wherein the perforations have an average diameter of between 0.05 and 1.5 mm.
- 37. (New) The film according to claim 15, wherein the molar ratio of the terephthalic acid component to the isophthalic acid component is in the range from 65:35 to 85:15.
- 38. (New) The film according to claim 15, wherein the molar ratio of the terephthalic acid component to the isophthalic acid component is 82:18.

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39. (New) The film according to claim 15, wherein the molar ratio of 1,4-cyclohexanedimethanol to ethylene glycol is in the range from 30:70 to 35:65.

- 40. (New) The film according to claim 15, wherein the molar ratio of 1,4-cyclohexanedimethanol to ethylene glycol is 33:67.
- 41. (New) The process according to claim 22 wherein the unperforated barrier layer is as set out in claim 3.
- 42. (New) The process according to claim 22 wherein the substrate layer is as set out in claim 11.
- 43. (New) The process according to claim 22 wherein the substrate layer is as set out in claim 12.